

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

CHARLEEN CORRADO, et al.,)
Plaintiffs,)
vs.)
LIFE INVESTORS INSURANCE)
COMPANY OF AMERICA, et al.,)
Defendants.)
)
No. 14 cv 92 EJM
ORDER

This matter is before the court on defendants' resisted motion to dismiss, filed September 5, 2014. Dismissed.

Plaintiffs bring this case for breach of contract. Jurisdiction based on 28 U.S.C. §1332.

Plaintiffs assert a claim of entitlement to assets of a Trust, the Life Investors Owners Participation Trust and Plan ("Trust".) In federal district court in Maryland, plaintiffs previously litigated and lost their claim to any entitlement to Trust assets. Corrado v. Life Investors Owners Participation Trust and Plan, 2011 WL 886635 (D. Md. 2011); Corrado v. Life Investors Owners Participation Trust and Plan, 2011 WL 1885713 (D. Md. 2011.) The Maryland court dismissed all the claims and denied all the requested relief. It ruled that plaintiffs had no entitlement to any of the Trust's assets, and failed to prove any breaches of fiduciary duty. This court has also examined the same questions and ruled against plaintiffs. Life Investors

Insurance Company of America v. The Estate of John Corrado, et al., 1:08cv51

EJM.

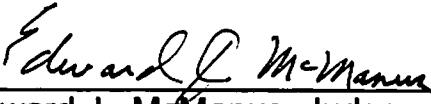
The doctrines of res judicata and collateral estoppel, both claim preclusion and issue preclusion, bar all the claims in the complaint. Federated Department Stores v. Moitie, 452 U.S. 394, 398 (1981); Hunter v. City of Des Moines, 300 N.W.2d 12, 123 (Iowa 1981); Tyus v. Schoemehl, 93 F.3d 449, 453 (8th Cir. 1996.)

It is therefore

ORDERED

Dismissed.

October 6, 2014



Edward J. McManus, Judge
UNITED STATES DISTRICT COURT